

ARGUMENTS/REMARKS

It should be noted that the instant application has been filed to continue the prosecution of claims 1-10 and 13-28. Claims 1 and 16, as amended herein, were in an amendment after final rejection filed in the parent application, which amendment was denied entry by the examiners raising new issues that would require further consideration and/or search. These claims are believed to be allowable for the reasons set forth in the amendment filed on December 1, 2003 in the parent application, which reasons are incorporated herein.

As noted in the December 1, 2003 amendment, claims 1 and 16 have been amended to state that the second cavity region, which has a plurality of panel holes, is located radially outward of both the circumferential rail in the first cavity region, which also has a plurality of panel holes.

With regard to the rejection under 35 U.S.C. 102(b) over Pearce made in the parent application, it is submitted that Pearce does not have a second cavity region with a plurality of panel holes which is radially outward of both the first cavity region having a plurality of panel holes and a circumferential rail which defines the border between the first and second cavity regions. In Pearce, both cavity regions (42) are located radially inward of the circumferential rail (40). In fact, the two cavity regions (42) are the same circular region. For this reason, claims 1 and 16 as amended herein are allowable over Pearce.

With regard to the obviousness rejection over Pearce and Sandelis, the two references cannot be combined as suggested by the examiner. Most notably, the portion of

Pearce outside the circumferential rail has no inlet openings for receiving cooling air from the plenum chamber (20) and thus putting cooling holes in this region is pointless. In fact, to suggest such a modification is nothing more than a hindsight rejection. With regard to Sandelis, the examiner cannot simply ignore the structure of Sandelis in which the first and second sides of the panels are non-planar. Sandelis requires his physical structure in order to achieve his desired cooling effects. Thus, if the examiner were to combine Sandelis with Pearce, we would not meet the planar limitations set forth in claims 1 and 16.

With regard to the claims which depend from claims 1 and 16, either directly or indirectly, these claims are allowable for the same reasons as claims 1 and 16 and further on their own accord.

With respect to the rejection in the parent application of claims 7, 8 and 19 on obviousness grounds, the Richardson patent does not overcome the aforementioned deficiencies of the Pearce patent.

For the foregoing reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe that an additional amendment is needed to place the case in condition for allowance, he is invited to contact Applicants' attorney at the telephone number listed below.

No fee is believed to be due as a result of this Preliminary Amendment. Should the Commissioner determine

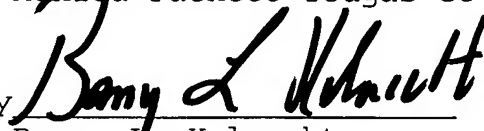
Amdt. dated February 2, 2004

that an additional fee is due, he is hereby authorized to charge said fee to Deposit Account 21-0279.

Respectfully submitted,

Monica Pacheco-Tougas et al.

By

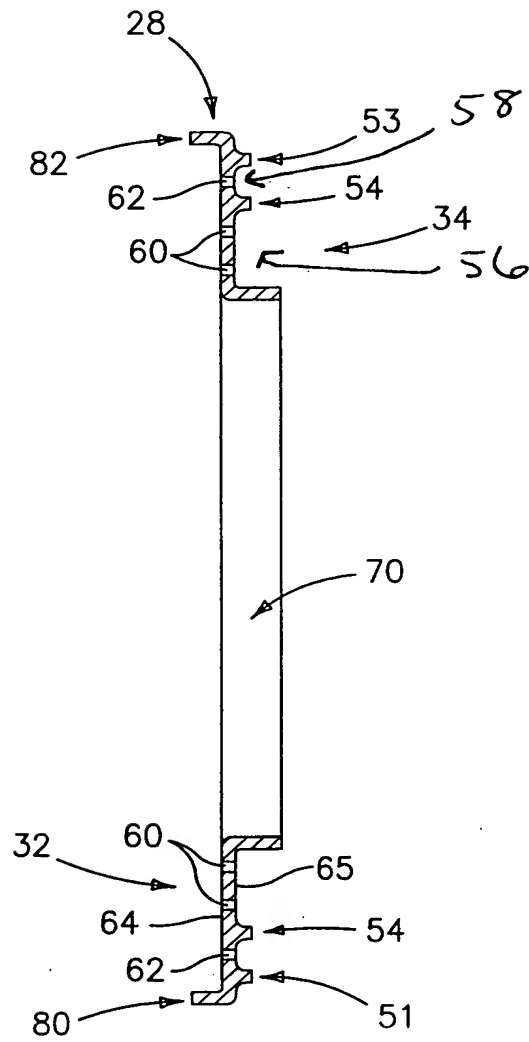


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Date: February 2, 2004

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**FIG. 4**